

REMARKS

Favorable reconsideration is respectfully requested in view of the foregoing amendments and following remarks.

The non-elected subject matter has been deleted from the claims by the foregoing amendments.

The claims have been amended so as to be limited to the scope of claim 17 wherein X^2 is an oxygen atom or $-S(O)_n-$, wherein n is 0, 1 or 2 and M^3 is an optionally substituted divalent aliphatic hydrocarbon group.

Claims 1, 18, 19 and 26 have been amended to delete the proviso (3), since the compounds listed in the proviso are now outside of the scope of amended claim 1.

Claims 6-8, 17 and 22-25 are cancelled without prejudice as being redundant by the foregoing amendments.

Turning to the Official Action, claims 1-6, 8, 10-11, 16, 30-31 and 33-37 are rejected under 35 USC 102 as anticipated by Perrier et al. and, separately, by Beswick et al.

These grounds of rejection are deemed to be overcome because both cited references disclose compounds wherein X^2 in the claimed compound is a bond. The foregoing amendments delete such compounds so that the claimed compounds are those wherein X^2 is $-O-$ or $-S(O)_n-$.

Accordingly, reconsideration and withdrawal of this ground of rejection is appropriate.

Lastly, claims 9, 15 and 19-22 are rejected under 35 USC 103 unpatentable over Beswick et al.

This ground of rejection is deemed to be overcome in view of the foregoing amendments, since the combination of claims 1 and 17 are not subject to the rejection.

In view of the foregoing, it is believed that the application is now in condition for allowance, and such allowance is solicited.

Respectfully submitted,

Kazumasa HAMAMURA et al.

By: Warren M. Cheek
Warren M. Cheek
Registration No. 33,367
Attorney for Applicants

WMC/dlk
Washington, D.C. 20006-1021
Telephone (202) 721-8200
Facsimile (202) 721-8250
December 22, 2008